

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

KENNETH PITTS,

Plaintiff,

vs.

No. 1:23-cv-00120-WJ-SCY

SAN JUAN COLLEGE,

Defendant.

ORDER DENYING PLAINTIFF’S REQUEST FOR HEARING [DOC. 115]

THIS MATTER is before the Court on Plaintiff’s Request for Hearing **[Doc. 115]**. Plaintiff asks for a hearing “hosted by the Honorable Judge William P. Johnson . . . to respond to the Defendant’s June 23, 2025, filings (Doc. 110, 111).” The Court will deny the Request for Hearing.

Plaintiff Kenneth Pitts is proceeding pro se in this litigation. Pro se litigants are required to follow the federal rules of procedure and simple, nonburdensome local rules. *See Bradenburg v. Beaman*, 632 F.2d 120, 122 (10th Cir. 1980).

Plaintiff requests a hearing because he disputes statements made in Defendants response to Plaintiff’s motion for partial summary judgment **[Doc. 110]** and to Plaintiff’s motion to amend or correct the initial complaint **[Doc. 111]**. The Local Rules of this Court set out the procedures for motions, including provisions governing replies. DNM LR-Civ. 7.4(a) provides that a reply to the opposing party’s response “must be filed and served within 14 days after service of the response.” Local Rule 56.1(b) governing summary judgment proceedings, further states that a reply “must contain a concise statement of those facts set forth in the response which the movant disputes or to which the movant asserts an objection.” DNM LR-Civ. 56-1(b). Once briefing is completed, the moving party must file a Notice of Completion of Briefing to alert the Court that

the motion is ready for determination. DNM LR-Civ. 7.4(e). The general rule in this District is that motions are decided on the briefs without a hearing unless the Court orders otherwise. **[DNM LR-Civ. 7.6(a)].**

Plaintiff's Request for Hearing appears to be an attempt to substitute a hearing for filing of a reply, contrary to the Local Rules on motion practice. The Court declines to hold a hearing where no completion of briefing has been filed and the request seeks to address matters more appropriately discussed in a reply brief. The Court acknowledges that Plaintiff's reply time under the Local Rules has expired or likely will expire shortly. If Plaintiff wishes to file a reply to either Doc. 110 or Doc. 111, Plaintiff must file a motion with the Court asking the Court for leave to file the reply and showing good cause for an extension of time to reply. If Plaintiff does not intend to file any reply, then Plaintiff must file notices of completion of briefing under Local Rule 7.4(e).

IT IS SO ORDERED.

/s/

WILLIAM P. JOHNSON
SENIOR UNITED STATES DISTRICT JUDGE